

November 15, 1995

FACT SHEET

FINAL DECISION NOT TO ISSUE NEW REGULATIONS FOR ASBESTOS PROCESSING FACILITIES UNDER THE AIR TOXICS PROVISION OF THE CLEAN AIR ACT AMENDMENTS OF 1990

TODAY'S ACTION...

- ◆ The Environmental Protection Agency (EPA) is today issuing a final regulation to "delist" or remove asbestos processing facilities from the list of industrial source categories that are required to be regulated under the air toxics provision of the Clean Air Act Amendments of 1990. Based on new data, EPA believes that these facilities already have very stringent controls in place that are effective in protecting public health and the environment.

BACKGROUND: ASBESTOS AND THE AIR TOXICS PROGRAM

- ◆ In 1973, EPA issued the first regulation controlling emissions from asbestos processing facilities and other sources of asbestos. The regulation was subsequently revised; the latest revision, a rule known as the National Emissions Standard for Hazardous Air Pollutants (or NESHAP) for asbestos, was issued in 1990. The asbestos regulation covers many sources of asbestos including demolition and renovation of structures and asbestos processing. The revision of the asbestos NESHAP was near completion at the time the 1990 amendments were passed. Therefore, EPA issued the regulation with the intention of reviewing the various sources of asbestos again, under the new air toxics provisions established under the Clean Air Act Amendments of 1990, to see if additional controls might be warranted.
- ◆ Under the 1990 Clean Air Act Amendments, EPA is required to regulate emissions of 189 listed air toxics, including asbestos. On July 16, 1992, EPA published a list of source categories that emit one or more of these air toxics. For listed categories of "major" sources and certain smaller or "area" sources, EPA is required to develop stringent technology-based standards that require the application of maximum achievable control technology (MACT), or for "area" sources, generally available

control technology (GACT), as defined by the Clean Air Act. "Major" sources are those that emit 10 tons annually or more of a listed pollutant or 25 tons per year or more of a combination of such pollutants. "Area" sources are those that emit toxic air pollutants in quantities less than those defined for "major" sources.

- ◆ Based on the emissions data that were available in 1990, EPA identified asbestos processing as a source that warranted additional controls. Therefore, it was listed as an "area source" category to be regulated under the new air toxics provision of the Clean Air Act.

WHY IS EPA REMOVING ASBESTOS PROCESSING FACILITIES FROM THE LIST OF INDUSTRIES TO BE REGULATED UNDER THE AIR TOXICS PROGRAM?

- ◆ Based on new data, EPA determined that asbestos emissions from asbestos processing facilities are much lower than the original emissions estimates that EPA used to list these facilities as a source category in 1992.
- ◆ The new emissions data reveal that the lifetime risk to individuals most exposed to asbestos emissions from these facilities is below one in one million.
- ◆ Existing regulations already require stringent controls on asbestos processing facilities; most facilities are achieving over 99 percent control of asbestos emissions under the current National Emissions Standard for Hazardous Air Pollutants (or NESHAP). EPA believes that additional controls would not yield further emissions reductions, and therefore would not provide additional environmental or public health benefits.

WHAT DOES THE DELISTING MEAN FOR ASBESTOS PROCESSING FACILITIES?

- ◆ EPA's final regulation means that approximately 60 asbestos processing facilities nationwide will not be subject to a maximum achievable control technology (MACT) or a generally available control technology (GACT) standard, as required by the air toxics provision of the Clean Air Act Amendments of 1990. However, these facilities are still subject to the existing National Emissions Standard for Hazardous Air Pollutants (or NESHAP) for asbestos, as revised in 1990.

FOR FURTHER INFORMATION...

Anyone with a computer and a modem can download the final rule from the Clean Air Act Amendments bulletin board of EPA's electronic Technology Transfer Network (TTN) by calling (919) 541-5742 (look under "Recently Signed Rules"). For further information about how to access the board, call (919) 541-5384. For further information about the final rule, contact Susan Fairchild-Zapata of EPA's Office of Air Quality Planning and Standards at (919) 541-5167.